

FIRST REGULAR SESSION

HOUSE BILL NO. 356

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CLAYTON.

Read 1st time January 15, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

0905L.011

AN ACT

To amend chapters 91, 393 and 394, RSMo, by adding thereto three new sections relating to corrections of undercharges by utilities.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 91, 393 and 394, RSMo, are amended by adding thereto three new sections, to be known as sections 91.028, 393.286 and 394.320, to read as follows:

91.028. Any municipally owned utility may correct any billing error for which the consumer was charged a lower amount than such consumer should have been charged pursuant to the municipality's rate schedule. The municipality may make such correction and charge the consumer the correct amount, provided that such correction is billed to the consumer and postmarked within ninety days of the issuance of the original bill on which the undercharging error was made. If such correction is not billed to the consumer within ninety days of the issuance of the original bill, then:

(1) The consumer shall not be liable for the payment of the difference between the amount such consumer was originally billed and the amount the consumer should have been billed; and

(2) The municipality shall not send any new billing in which the payment of such difference is requested.

393.286. 1. Any gas, electric, water, heating or sewer company regulated by the commission pursuant to this chapter and chapter 386, RSMo, may correct any billing error for which the consumer was charged a lower amount than such consumer should have been charged pursuant to the company's rate schedule. The company may make such correction and charge the consumer the correct amount, provided that such correction is billed to the consumer and postmarked within ninety days of the issuance of the original bill on which

7 the undercharging error was made. If such correction is not billed to the consumer within
8 ninety days of the issuance of the original bill, then:

9 (1) The consumer shall not be liable for the payment of the difference between the
10 amount such consumer was originally billed and the amount the consumer should have
11 been billed; and

12 (2) The company shall not send any new billing in which the payment of such
13 difference is requested.

14 2. The commission may issue rules for the enforcement of this section.

394.320. Any cooperative may correct any billing error for which the consumer was
2 charged a lower amount than such consumer should have been charged pursuant to the
3 cooperative's rate schedule. The cooperative may make such correction and charge the
4 consumer the correct amount, provided that such correction is billed to the consumer and
5 postmarked within ninety days of the issuance of the original bill on which the
6 undercharging error was made. If such correction is not billed to the consumer within
7 ninety days of the issuance of the original bill, then:

8 (1) The consumer shall not be liable for the payment of the difference between the
9 amount such consumer was originally billed and the amount the consumer should have
10 been billed; and

11 (2) The cooperative shall not send any new billing in which the payment of such
12 difference is requested.